

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Notice of Proposed Rule Making)	ET Docket No. 00-221
Reallocation of the 216-220 MHz,)	RM-9267
1390-1395 MHz, 1427-1429 MHz,)	RM-9692
1429-1432 MHz, 1432-1435 MHz,)	RM-9797
1670-1675 MHz, and 2385-2390 MHz)	RM-9854
Government Transfer Bands)	

To: Chief, Wireless Telecommunications Bureau

Request for Leave

Warren C. Havens (“Havens”) and Telesaurus Holdings GB LLC (“Telesaurus”) hereby request leave to late file the attached Reply Comments of LMS Wireless and Warren C. Havens (the “Reply Comments”). These were due by close of 3-18-02, and were filed electronically, along with this Request for Leave, prior to the commencement 3-20-02 (nominally two days, practically one day late).

It is in the public interest to grant this request since the proposal in the Reply Comments is of utmost public benefit: it proposes a nationwide multi-band Advanced-Technology Land Infrastructure Service (“ATLIS”) for the nation’s critical infrastructure industries that includes the 216-220 MHz band (and other bands in which Havens and Telesaurus have major holdings: ~1.3 billion MHz Pops they propose to dedicate, via appropriate Commission rule changes, to such purpose). The ATLIS proposal is feasible, including within Commission precedent, and if even partly successful would provide for a large percentage of the wireless needs (including for “homeland security” applications) for much of the nation’s critical infrastructure entities.

Havens and Telesaurus could not complete the Reply Comments sooner as follows:

(i) The Reply Comments are based upon the ATLIS proposal developed for and submitted as reply comments in the Commission's DA 02-361 proceeding (the "LMSW DA 02-391 Filing"); this LMSW DA 02-391 Filing is Attachment I in the attached Reply Comments and constitute the *sine qua non* of the Reply Comments. (ii) The LMSW DA 02-391 Filing was completed on the FCC due date of 3-18-02. The Comments in DA 02-361 were due on 3-6-02, giving only 7 days to Havens to obtain and review the Comments (roughly 500 pages from various utility, rail, and pipeline companies and the trade associations) to have the foundation needed to prepare, and to prepare and file, this major LMSW DA 02-391 Filing (this foundation from these Comments is that commenters clearly confirmed a serious and growing shortage of spectrum, and the ATLIS reply comments in the LMSW DA 02-391 Filing is a proposal to meet this need, the only one on the horizon). Promptly after completing the LMSW DA 02-391 Filing, in a slightly over a day, Havens prepared and filed the Reply Comments in the above-captioned proceeding.

Respectfully submitted,

Warren Havens

Warren C. Havens
LMS Wireless
Telesaurus Holdings GB LLC

March 20, 2002

2509 Stuart Street, Berkeley CA 94705
Phone (510) 841 2220 Fax (510) 841 2226